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COMMISSION ON HUMAN RIGHTS  
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Agenda item 14

EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO  
UNITED NATIONS HUMAN RIGHTS INSTRUMENTS

Australia\*, Austria, Canada, Finland\*, New Zealand\*,  
Norway\*, Romania\* and Spain\*: draft resolution

1998/.. Effective implementation of international instruments  
on human rights, including reporting obligations under  
international instruments on human rights

The Commission on Human Rights,

Taking note of General Assembly resolutions 51/87 of 12 December 1996  
and 52/118 of 12 December 1997, and recalling its resolution 1996/22 of  
19 April 1996 as well as its decision 1997/105 of 3 April 1997, as well as  
other relevant resolutions,

Reaffirming that the full and effective implementation of United Nations  
human rights instruments is of major importance to the efforts of the  
Organization, pursuant to the Charter of the United Nations and the Universal  
Declaration of Human Rights, to promote universal respect for an observance of  
human rights and fundamental freedoms,

Considering that the effective functioning of treaty bodies established  
pursuant to United Nations human rights instruments is indispensable for the  
full and effective implementation of such instruments,

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of  
the functional commissions of the Economic and Social Council.

Reiterating its concern about the large number of overdue reports under the United Nations human rights instruments,

Reiterating also its concern about the increasing backlog of reports on the implementation by States parties of certain United Nations human rights instruments and about delays in consideration of reports by treaty bodies,

Concerned that the lack of adequate resources impedes the effective functioning of the treaty bodies, including in regard to their ability to work in the applicable working languages,

Recalling that the effectiveness of the treaty bodies in encouraging the realization by States parties of their obligations under the United Nations human rights instruments requires constructive dialogue aimed at assisting States parties in identifying solutions to human rights problems and should be based on the reporting process supplemented by information from all relevant sources which should be shared with all interested parties,

Conscious of the importance of coordination of the human rights promotion and protection activities of the United Nations bodies active in the field of human rights,

1. Welcomes the reports of the seventh and eighth meetings of the persons chairing the human rights treaty bodies (A/51/482, annex and A/52/507, annex), held at Geneva from 16 to 20 September 1996 and from 15 to 19 September 1997, respectively, and the holding of the ninth meeting in Geneva from 25 to 27 February 1998, and takes note of the conclusions and recommendations proposed at those meetings;

2. Encourages each treaty body to continue to give careful consideration to the relevant conclusions and recommendations contained in the reports of the persons chairing the human rights treaty bodies;

3. Takes note of the report of the Secretary-General on the effective functioning of bodies established pursuant to United Nations human rights instruments (E/CN.4/1998/85 and Add.1 and Corr.1);

4. Welcomes the submission of comments by Governments, United Nations bodies and specialized agencies, non-governmental organizations and interested persons on the final report of the independent expert on enhancing the long-term effectiveness of the United Nations human rights treaty system (E/CN.4/1997/74) and the Secretary-General's report thereon, including the Secretary-General's own views on the legal, administrative and other implications of the report's recommendations;

5. Notes with appreciation the attention given by the human rights treaty bodies and the persons chairing the human rights treaty bodies to the final report of the independent expert on enhancing the long-term effectiveness of the United Nations human rights treaty system and to the Secretary-General's report on the comments by Governments, United Nations bodies and specialized agencies, non-governmental organizations and interested persons;

6. Invites the Secretary-General to continue to solicit the views of Governments, United Nations bodies, specialized agencies, intergovernmental and non-governmental organizations and interested persons on the report of the independent expert and to submit a report thereon, including the Secretary-General's own views on the legal, administrative and other implications of the report's recommendations, taking into account further developments, to the Commission at its fifty-sixth session;

7. Emphasizes the need to ensure financing and adequate staff and information resources for the operations of the human rights treaty bodies and, with this in mind:

(a) Reiterates its request that the Secretary-General provide adequate resources in respect of each treaty body;

(b) Calls upon the Secretary-General to make the most efficient use of existing resources in order to give the human rights treaty bodies adequate administrative support and better access to technical expertise and relevant information;

(c) Calls upon the Secretary-General to seek in the next biennium the resources within the United Nations regular budget necessary to give the human rights treaty bodies adequate administrative support and better access to technical expertise and relevant information;

8. Notes with interest the proposal for a plan of action to enhance the resources available to all the human rights treaty bodies, and encourages the High Commissioner for Human Rights to prepare a draft plan of action for consideration by the persons chairing the treaty bodies at their next meeting;

9. Takes note of the measures taken by each of the human rights treaty bodies to improve their functioning, as reflected in their respective annual reports, and urges continuing efforts by the human rights treaty bodies

and the Secretary-General to help improve the meeting of reporting obligations by States parties and to reduce the backlog in the consideration of reports by treaty bodies;

10. Welcomes the continuing efforts by the human rights treaty bodies and the Secretary-General aimed at streamlining, rationalizing, rendering more transparent and otherwise improving reporting procedures, and urges the Secretary-General, the treaty bodies and the next meeting of the persons chairing the treaty bodies to continue to examine ways of reducing the duplication of reporting required under the different instruments, without impairing the quality of reporting, and of generally reducing the reporting burden on States parties;

11. Takes note with appreciation of the efforts of the persons chairing the treaty bodies to promote appropriate reforms of the reporting system with a view to, inter alia, reducing the reporting burden on States parties while maintaining the quality of reporting, and encourages them to continue these efforts, including through ongoing examination of the proposal for reports focused on a limited range of issues and of opportunities for harmonizing the general guidelines regarding the form and content of reports, the timing of consideration of reports, and the methods of work of the treaty bodies;

12. Urges States parties to contribute, individually and through meetings of States parties, to identifying and implementing ways of further streamlining, rationalizing, avoiding duplication in and otherwise improving reporting procedures;

13. Urges States parties to make every effort to meet their reporting obligations under United Nations human rights instruments;

14. Welcomes the publication of the revised Manual on Human Rights Reporting, and requests the United Nations High Commissioner for Human Rights to take the necessary measures to ensure that the revised Manual will be translated into all official languages at the earliest opportunity;

15. Welcomes the recommendation made at the meetings of the persons chairing the human rights treaty bodies that a priority of the technical cooperation programme of the Office of the High Commissioner for Human Rights should be to provide assistance to States parties, upon their request, with the implementation of the United Nations human rights instruments and, in particular, the recommendation made at the ninth meeting concerning the

provision of assistance to States, upon their request, in the process of ratifying such instruments and the preparation of initial reports;

16. Invites States parties that have not yet submitted their initial reports under United Nations human rights instruments to avail themselves, where necessary, of technical assistance;

17. Encourages the human rights treaty bodies to continue to identify specific possibilities for technical assistance, to be provided at the request of the State concerned, in the regular course of their work of reviewing the periodic reports of States parties, and encourages States parties to consider carefully the concluding observations of the treaty bodies in identifying their needs for technical assistance;

18. Urges each State party whose report has been examined by a treaty body to translate, publish and make available in its territory the full text of the concluding observations of the treaty body on its report and to provide adequate follow-up to those observations;

19. Welcomes the contribution to the work of the human rights treaty bodies made by the specialized agencies and United Nations bodies, and encourages the specialized agencies and United Nations bodies, the Office of the High Commissioner for Human Rights and the persons chairing the human rights treaty bodies to continue to explore specific measures to intensify the cooperation among them, and also encourages in this context meetings of the persons chairing the human rights treaty bodies to invite, when appropriate, senior representatives of the specialized agencies and United Nations bodies to attend their meetings;

20. Recognizes the important role played by non-governmental organizations in all parts of the world in the effective implementation of all human rights instruments, and encourages the exchange of information between the human rights treaty bodies and such organizations;

21. Recalls, with regard to the election of the members of the human rights treaty bodies, the importance of giving consideration to equitable geographic distribution of membership and to the representation of the principal legal systems, and of bearing in mind that the members shall be elected and serve in their personal capacity and shall be of high moral character and recognized competence in the field of human rights, and encourages States parties, individually and through meetings of States parties, to consider how to give better effect to these principles;

22. Welcomes the continuing emphasis by the persons chairing the human rights treaty bodies that the enjoyment of the human rights of women should be monitored closely by each treaty body within the purview of its mandate and, in this regard, welcomes the request of the persons chairing the human rights treaty bodies that the Division for the Advancement of Women of the Secretariat should prepare a study, for use by the United Nations High Commissioner for Human Rights and the treaty bodies, analysing what each treaty body has done to incorporate gender perspectives into its work and making practical suggestions about what each could do to further incorporate gender perspectives;

23. Also welcomes the contribution of the treaty bodies, within their mandates, to the prevention of violations of human rights, in the context of their consideration of reports under their respective human rights treaties;

24. Encourages the persons chairing the human rights treaty bodies to pursue at their next meeting the reform process aimed at improving the effective implementation of international instruments on human rights;

25. Requests the Secretary-General to report to the Commission on Human Rights at its fifty-sixth session on measures taken to implement the present resolution and obstacles to its implementation, and on measures taken or planned to ensure financing and adequate staff and information resources for the effective operation of the human rights treaty bodies;

26. Decides to consider the question on a priority basis at its fifty-sixth session under the agenda item entitled "Effective functioning of bodies established pursuant to United Nations human rights instruments".

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